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7 February 1995

MEMORANDUM FOR THE RECORD: NSC Meeting on Bamaca Case

1. DC/LA and C/LA/~~3~~ met on 6 February in the office of Richard Feinberg at the NSC to review NSC and State plans on the Bamaca case. Other attendees were Chat Blakeman (NSC), Richard Wilhelm (Office of the Vice President), John Hamilton (State), Molly Warlow (DOJ), and Bruce Pease (NSC).

2. DC/LA reviewed our 3 February briefings for HPSCI and SSCI on the new intelligence identifying Julio Roberto ALPIREZ as Bamaca's probable killer, ~~\_\_\_\_\_~~ and his possible involvement in the June 1990 killing of U.S. citizen Michael Devine. He advised that we had been asked about ~~\_\_\_\_\_~~ the Devine information had been acquired and questioned about DOJ's and State's roles in the Devine case. We advised what we were providing the staffs at their request copies of our documents on DOJ's involvement ~~\_\_\_\_\_~~

~~\_\_\_\_\_~~ In response to concerns about leaks, DC/LA noted that he had cautioned SSCI staffer ~~\_\_\_\_\_~~ about the sensitivity of this new information, because ~~\_\_\_\_\_~~ seems to be aggressively following this case. Wilhelm noted that he would recommend that George Tenet call ~~\_\_\_\_\_~~ to reiterate.

3. ~~\_\_\_\_\_~~

4. Then followed an even lengthier discussion on what to give to Jennifer Harbury and when. NSC believes very strongly that she should be provided a recap of our current efforts to investigate the fate of her husband, to include our judgment that is did not live past the first few weeks of his incarceration and that senior Guatemalan officers stationed in San Marcos, can shed light on his fate. NSC also asked that State be the agency to

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meet with her, in order to "get the White House out of this." They saw no value in not advising her, arguing that it is "almost public already." State argued that the demarche is a privileged communication between the Embassy and a head of State, and as such should not be given to her. State had drafted talking points for discussion with her, which they are revising to include the above data. There was no willingness on NSC's part to not tell Harbury what we know or to defer advising her; they asked that she be advised in the next few days.

5. Wilhelm noted that this case continues to be closely watched by Tony Lake and the Vice President's office. We discussed the possible repercussions of a leak to the public

~~\_\_\_\_\_~~ DOJ rep noted that there is concern about the Alpirez case, because they do not recall any of our contact with them on this issue. We agreed to provide them the documentation we are sending to the Oversight committees, along with the memo dissem on Alpirez's role in the Devine killing.

6. Action Items: We will send para 5 documents to DOJ adn to NSC for their information (these were faxed to DOJ evening of 6 Feb and to State on 7 Feb). C/LA/~~PAI~~ will bring PAI up to date on the new information in case details are leaked to the public, in case they get questions.